

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN GASPAR,

Plaintiff,

v.

TURN TECHNOLOGIES INC; and
RAHIER RAHMAN,

Defendants.

C23-1274 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's Motion to Compel Discovery Answers and Responses, docket no. 86, is GRANTED in part and DENIED in part, as follows:

(a) Plaintiff's request for production of his entire Microsoft Outlook account, including email, calendar, tasks, and notes, is GRANTED in part. Plaintiff is directed to identify not more than twenty-five (25) reasonable search terms within seven (7) days of the entry of this Minute Order. Defendants shall use the terms to search Plaintiff's Outlook email account, including all emails, drafts, and messages sent from and received by Plaintiff, and Plaintiff's Outlook calendar events and to produce all nonprivileged emails, drafts, messages, calendar events, and their attachments resulting from the search within twenty-one (21) days of the entry of this Minute Order. The remainder of the request is DENIED.

1 (b) Plaintiff's request for identification and production of documents
2 that include internal communications mentioning him, his performance, complaints,
3 background checks, termination, and other related topics is GRANTED in part. Plaintiff
4 may identify not more than ten (10) additional and reasonable search terms within seven
5 (7) days of the entry of this Minute Order. Defendants shall use all terms (i.e. up to thirty-
6 five (35) terms) to search internal communications, and shall produce all nonprivileged
7 documents responsive to this request, to the extent they exist, within twenty-one (21)
8 days of the entry of this Minute Order. The remainder of the request is DENIED.

9 (c) Plaintiff's request for the production of personnel records of himself,
10 comparators, executives, and other employees allegedly subjected to background checks
11 or similar discipline is GRANTED only as to the personnel file of Defendant Rahier
12 Rahman and limited to documents therein containing any references to Plaintiff and
13 references to any actions taken relating to Plaintiff. Defendants shall produce such
14 nonprivileged documents, to the extent they exist, within twenty-one (21) days of the
15 entry of this Minute Order. The remainder of the request is DENIED.

16 (d) Plaintiff's request for the identification and production of complaints
17 and performance records involving Defendant Rahier Rahman or other decisionmakers
18 and related personnel is DENIED.

19 (e) Plaintiff's request that Defendants provide verification for their
20 interrogatory responses as required under Civil Rule 33(a) is DENIED as MOOT.

21 (f) Plaintiff's request for documents substantiating breach of contract
22 claims regarding the bonus and equity awards, including board meeting minutes and
23 corporate governance documents, is DENIED.

(g) Plaintiff's request for Defendants to disclose their document
retention and preservation efforts in response to discovery requests is DENIED. *See*
Zunum Aero, Inc. v. Boeing Co., 2023 WL 11835334 (W.D. Wash. Nov. 13, 2023).

(h) Plaintiff's request that Defendants provide factual support and
documents relating to their affirmative defenses is GRANTED in part as to Interrogatory
No. 6. The interrogatory and Defendants' answer are both overly broad. The Court orders
Defendants to identify any material facts they claim support their affirmative defenses
within twenty-one (21) days of the entry of this Minute Order. The request for the
production of documents, Request For Production No. N, is GRANTED. Defendants
shall produce any responsive documents within twenty-one (21) days of the entry of this
Minute Order and/or produce a privilege log identifying any documents withheld and the
nature of any privileged claims.

1 (i) Plaintiff's request that Defendants provide factual support and
documents for each of their counterclaims, including fraud, conversion, breach of
2 fiduciary duty, and breach of contract is DENIED as overbroad.

3 (2) Within three (3) business days of completing the discovery required,
Defendants shall file a certificate of compliance signed by their counsel.

4 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
5 record.

6 Dated this 8th day of April, 2025.

7 Ravi Subramanian
Clerk

8
9 s/Laurie Cuaresma
Deputy Clerk